

Hiroshi SHIBATA., S.N. 09/846,991
Page 19

Dkt. No. 2271/64858

REMARKS

The application has been reviewed in light of the final Office Action dated April 30, 2007. Claims 1-46 and 49-52 are pending, with claims 1, 5, 9, 12, 15, 20, 23, 28, 31, 35 and 49 being in independent form. Claims 47 and 48 were previously canceled, without prejudice or disclaimer. By this Amendment, independent claims 1, 5, 9, 12, 15, 20, 23, 28, 31, 35, 39 and 49 and dependent claims 11 and 51 have been amended to clarify the claimed subject matter thereof, dependent claim 52 has been amended to depend from claim 5 (instead of from claim 51). Applicant respectfully submits that no new matter and no new issues have been introduced. Accordingly, entry of this Amendment is requested.

Claims 51 and 52 were rejected under 35 U.S.C. § 112, first paragraph, as purportedly failing to comply with the written description requirement.

By this Amendment, dependent claim 51 has been amended to clarify the claimed subject matter thereof, without introducing any new matter and any new issues. Support for amended claim 51 can be found in the application at, for example, page 14, line 1 through page 15, line 8 of the specification, as originally filed.

Support for claim 52 can be found in Fig. 9A, as originally filed.

Withdrawal of the rejection of claims 51 and 52 under 35 U.S.C. § 112, first paragraph, is requested.

Claims 1-46 and 49-52 were rejected under 35 U.S.C. § 103(a) as purportedly unpatentable over U.S. Patent No. 6,665,425 to Sampath et al. in view of U.S. Patent No. 6,181,886 to Hockey et al.

Applicant has carefully considered the Examiner's comments and the cited art, and respectfully submits that current independent claims 1, 5, 9, 12, 15, 20, 23, 28, 31, 35, 39 and 49 are

Hiroshi SHIBATA., S.N. 09/846,991
Page 20

Dkt. No. 2271/64858

patentable over the cited art, for at least the following reasons.

As an initial matter, it is noted that in the claimed subject matter of the present application, a communications terminal apparatus or image forming apparatus is supervised by a manager who contacts a service provider or depot when servicing of the apparatus is required. In such a context, the claimed subject matter provides an approach in which the manager who supervises the apparatus is kept in the loop when servicing is to be obtained.

For example, as discussed in the application at page 18, lines 1-7 (which is repeated below for the convenience of the Examiner), when the remaining amount of consumable product in an image forming apparatus is in short supply, the manager is informed that the consumable product in the image forming apparatus is nearly ended:

The E-mail of Fig. 6A is an order sheet for ordering a supply of toner, indicating information of a mail address of the service depot system, information of the consumable product including *a status of the remaining toner* and the name of the product, and information of the sender including an E-mail address of the Internet facsimile apparatus 1 of the user, a serial number, and the name of the sender.

In Step S5, information according to the contents of the E-mail of Fig. 6A is displayed in a form such as shown in Fig. 6B on the LCD of the operation panel 28 after completion of the transmission of the E-mail. Then, the process ends.

From the above E-mail, the manager understands that toner type 2 is in short supply at the Internet facsimile apparatus 1 of the sales department. Therefore, if the toner is in stock, the manager sends the toner to the Internet facsimile apparatus 1 and if no toner is in stock, the manager transmits the E-mail to the service depot system 16 via the Internet 14.

Moreover, the manager is provided with the information necessary for placing an order to a service depot for additional supply of the consumable product, if after confirmation, the manager determines that such additional supply is needed under the circumstances. Under such an approach, the apparatus registers the information that is needed to keep track of the consumable product and reordering such consumable product for the apparatus.

In addition, such an approach overcomes unnecessary expense from service calls when the

Hiroshi SHIBATA., S.N. 09/846,991
Page 21

Dkt. No. 2271/64858

replacement consumable product is in stock in-house. Likewise, if a service call is required, the manager is kept in the loop regarding the nature and status of the servicing, so that the manager can detect any irregularities in billing from the service depot.

Sampath and Hockey are not concerned with such context, and are motivated by automation of the repair process. Therefore the combination of Sampath and Hockey would not have rendered the claimed subject matter obvious.

For example, the cited art, as previously pointed out in the record, does not teach or suggest "a controller configured to send a request for supplying said consumable product to said manager using said electronic communications address when said detector detects that said consumable product is nearly ended ...", as provided by the subject matter of claim 1 of the present application.

Sampath, as understood by Applicant, is directed to "automated diagnosis, prediction and remediation of failures in document processing systems based on an image quality defect analysis in conjunction with a machine/device data analysis" (see Sampath, Summary at column 1, lines 35-40). If the diagnostic results indicates problems, the machine can enter a predetermined repair sequence or alternatively send a request to a service engineer or consumable supplier.

In the context of placing orders for consumables, Sampath assumes that every time consumables in an apparatus is low, an order needs to be placed to the consumable supplier. Sampath does not teach or suggest that an e-mail should be sent to a manager who supervises the apparatus to alert the manager of the short supply status of the consumable.

On the other hand, Sampath assumes that the end-user can replace consumables. Thus, an order is automatically placed for the consumables, and the delivered consumables will be replaced by anyone at hand after the consumables are delivered. Sampath, column 8, lines 41-51, which was cited in the Office Action states as follows:

Hiroshi SHIBATA., S.N. 09/846,991
Page 22

Dkt. No. 2271/64858

In addition, the system may be equipped with a security system that allows different classes of customers, such as the end-user, key operator, and system administrator different levels of access to perform repair actions. For example, *the end-user may have access to replace consumables*, but no access to run a color calibration routine, or adjust machine setpoints. The key operator may have access to run a calibration routine and replace consumables, but denied access to change set-point values in the systems internal memory. *All users may on the other hand, have permissions to place a service call.*

Thus, Sampath, column 8, lines 41-51, is concerned with access to different components of the apparatus, and not to automated notice to the manager of the apparatus (although it does suggest that "*All users may on the other hand, have permissions to place a service call.*").

Sampath, as mentioned above, is motivated by automation of the fault detection and repair process. Sampath, column 4, line 65 through column 5, line 8 states as follows:

The results from the diagnostic engine are then conveyed to, for example, the customer or the customer service engineer. *Where possible, the system attempts to repair itself. Otherwise, either the customer or a service engineer is contacted to undertake the appropriate repair action. In addition, a request could be forwarded automatically to a parts/consumables supplier.* Once the machine has been repaired, a verification process is initiated to ensure the repairs were successful. Finally, the results of the diagnostic/prognostic analysis and the repair procedures are logged into a machine service log or one or more databases.

Thus, Sampath teaches that when repair is necessary, the system by default attempts to perform the repair itself, and if it does not successfully repair the defect, it contacts the customer or service engineer to indicate that manual action is needed. However, in the case of consumables, the request for additional supply is automatically transmitted to the supplier. Sampath fails to recognize the need and the advantages of supervision by the manager. Sampath only recognizes that the customer can manually perform the repair action, if needed.

Sampath advocates that the process should be automated as much as possible. Therefore, to the extent that repair action by a service provider is needed, Sampath teaches that a request for such

Hiroshi SHIBATA., S.N. 09/846,991
Page 23

Dkt. No. 2271/64858

service would be automatically transmitted by the system to the service provider. Sampath does not recognize the benefits of supervision by a manager of the system.

Accordingly, the system of Sampath, contrary to the contention in the Office Action (page 2), does not achieve the functionality of the claimed subject matter of the present application, such as "a controller configured to send a request for supplying said consumable product to said manager using said electronic communications address when said detector detects that said consumable product is nearly ended ..." (claim 1 of the present application).

The Office Action acknowledges that Sampath does not teach or suggest that the request for supplying the consumable product sent to the manager should include the identification of the apparatus, the specification of the consumable product, and the identification of the service depot, as provided by the subject matter of claim 1 of the present application.

However, it is contended in the Office Action (page 3) that "it can be concluded from Sampath et al's teaching that the notification to the service engineer would include an identification of the defective machine, the nature of the defect and the identification of the service engineer."

It is requested that the Examiner note that in claim 1, the request for supplying consumable product is sent to the manager and not to the service depot (service engineer).

The identification of the apparatus, the specification of the consumable product, and the identification of the service depot are included in the request for supplying the consumable product sent to the manager to enable the manager to place a request to the service depot for additional supply of the consumable product, if the manager confirms that such additional supply is needed. Sampath teaches that such request for supplying the consumable product is sent directly and automatically by the system to the supplier (that is, without intervention by the manager).

Since Sampath is motivated by the objective of automation, Sampath of course simply does

Hiroshi SHIBATA., S.N. 09/846,991
Page 24

Dkt. No. 2271/64858

not teach or suggest that the request for supplying the consumable product sent to the manager should include the identification of the apparatus, the specification of the consumable product, and the identification of the service depot, as provided by the subject matter of claim 1 of the present application.

Further, "it can be concluded" is not the test of obviousness under 35 U.S.C. § 103. It is well-established that Section 103 obviousness requires that the claimed invention would have been obvious and not merely that it can or may be obvious or concluded from the teachings of a reference.

Further, while Sampath proposes that the system verify that performed repair action actually restores proper operation of the system, Sampath does not teach or suggest that a report is sent to the manager to report a completion of supplying the consumable product on the apparatus when the detector detects that the consumable product is refilled, as also provided by the subject matter of claim 1 of the present application. As mentioned above, Sampath is not concerned with keeping the manager advised of the repair situation.

Hockey, as understood by Applicant, proposes a system for collecting used toner in an electrostatographic recording system, and monitoring the collection of the used toner.

Hockey was cited in the Office Action as purportedly proposing automatically monitoring the amount of consumables used in printing system.

However, while Hockey proposes that the level of toner in a hopper is monitored in the apparatus of Hockey, and when the level is low a message is displayed on an operator control panel, Hockey, like Sampath, is not concerned with keeping the manager of the system in the loop when servicing may be required.

Applicant submits that the combination of Sampath and Hockey neither discloses nor suggests a communications terminal apparatus supervised by a manager who contacts a service

Hiroshi SHIBATA., S.N. 09/846,991
Page 25

Dkt. No. 2271/64858

provider when servicing is required, wherein a controller sends a request for supplying consumable product to the manager using the electronic communications address of the manager when the detector detects that the consumable product is nearly ended, and sends a report for reporting a completion of supplying the consumable product on the apparatus when the detector detects that the consumable product is refilled, the request including the identification of the apparatus, the specification of the consumable product, and the identification of the service depot, as provided by the subject matter of claim 1 of the present application.

Independent claims 9, 15, 23, 31, 39 and 49 are patentably distinct from the cited art for at least similar reasons.

Accordingly, for at least the above-stated reasons, Applicant respectfully submits that independent claims 1, 9, 15, 23, 31, 39 and 49, and the claims depending therefrom, are patentable over the cited art.

For similar reasons, the combination of Sampath and Hockey fails to teach or suggest (a) sending a request for the repair service to the manager and the service depot using the respectively registered electronic communications addresses when the detector detects the event, (b) sending a report for reporting to the manager a completion of the repair service on the apparatus when the detector detects no defect of the maintenance component, and (c) the request includes the identification of the apparatus, the specification of the maintenance component, and the identification of the service depot, as provided by the subject matter of claims 5, 12, 20, 28, 35 and 39.

Accordingly, for at least the above-stated reasons, Applicant respectfully submits that independent claims 5, 12, 20, 28, 35 and 39, and the claims depending therefrom, are patentable over the cited art.

Hiroshi SHIBATA., S.N. 09/846,991
Page 26

Dkt. No. 2271/64858

In view of the remarks hereinabove, Applicant submits that the application is now in condition for allowance, and earnestly solicits the allowance of the application.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition. The Patent Office is hereby authorized to charge any fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,



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